



LEGISLATURE

MINUTES

PUBLIC EDUCATION APPROPRIATIONS SUBCOMMITTEE

Wednesday, May 27, 2020 | 8:00 a.m. | 30 House Building

Members Present:

Sen. Lyle W. Hillyard, Senate Chair
Rep. Steve Eliason, House Chair
Rep. Steve Waldrip, House Vice Chair
Sen. Lincoln Fillmore
Sen. Ann Millner
Sen. Kathleen Riebe
Sen. Jerry W. Stevenson
Sen. Ronald Winterton
Rep. Joel K. Briscoe
Rep. Francis D. Gibson
Rep. Craig Hall

Rep. Dan N. Johnson
Rep. Bradley G. Last
Rep. Karianne Lisonbee
Rep. Jefferson Moss
Rep. Marie H. Poulson
Rep. Susan Pulsipher
Rep. V. Lowry Snow
Rep. Robert M. Spendlove

Staff Present:

Lorna Wells, Committee Secretary
Ben Leishman, Finance Manager
Emily Willis, Financial Analyst

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

1 . Call to Order/Approval of Minutes

Chair Eliason called the meeting to order at 8:15 a.m.

MOTION: Rep. Gibson moved to approve the minutes of the following meetings: February 5, February 7, February 11, February 13, and February 18 of 2020. The motion passed with a vote of 15 - 0 - 4.

Yeas-15

Rep. J. Briscoe
Rep. S. Eliason
Sen. L. Fillmore
Rep. F. Gibson
Sen. L. Hillyard
Rep. D. Johnson
Rep. B. Last
Sen. A. Millner
Rep. J. Moss
Rep. M. Poulson
Sen. K. Riebe
Rep. V. Snow
Sen. J. Stevenson
Rep. S. Waldrip
Sen. R. Winterton

Nays-0

Absent-4

Rep. C. Hall
Rep. K. Lisonbee
Rep. S. Pulsipher
Rep. R. Spendlove

Chair Eliason gave an introduction regarding the purpose of the meeting.

2 . Options for Adjusting Base Budgets by 2%, 5%, and 10% (LFA Presentation)

Chair Eliason explained that the Executive Appropriations Committee has asked the committee to recommend budget cuts in the amounts of 2%, 5% and 10%.

Chair Eliason gave a brief explanation regarding WebEx procedures.

Ben Leishman gave some additional instruction regarding the WebEx meeting platform.

Ben Leishman gave an overview of the revenue update regarding the \$600 million to \$1.3 billion decrease in revenue.

Ben Leishman stated that the committee has been asked to reduce FY 2021 Base Budget amounts by scenarios of 2%, 5%, and 10%.

[2a. Overview of FY21 Base Budget Adjustments](#)

Sen. Hillyard asked about the total amount in the Rainy Day Fund. Ben Leishman responded.

Ben Leishman continued discussing funding stabilization.

Chair Eliason gave some more specific information regarding the General Fund and Education Fund Rainy Day accounts.

Ben Leishman discussed the State Appropriated Public Education Budget.

Sen. Fillmore asked for information regarding expenses by function rather than object. He also asked for clarification regarding how the budget deficit estimate reviewed earlier was calculated. Ben Leishman responded.

Rep. Last gave some clarifying information.

Ben Leishman gave an overview of how the budget reduction list was created.

[2c. LFA - List of Budget Adjustment Options](#)

Chair Eliason explained how to find this information online.

[2d. Comparison of LFA, USBE, and USBA Budget Scenarios](#)

Ben Leishman discussed the columns on the list.

3 . State Board of Education Budget Adjustment Recommendations

Mark Huntsman, Chair, State Board of Education expressed appreciation for being allowed input in making these difficult decisions.

Sydnee Dickson, State Superintendent of Public Instruction, discussed how difficult these budget reductions have been.

[3a. USBE Recommendations - Fiscal Year 2021 Base Budget Reduction Scenarios \[USBE\]](#)

Chair Huntsman gave some concluding remarks.

Rep. Johnson expressed concern about the need for early literacy. Superintendent Dickson responded.

Sen. Millner was surprised about less support for more online early childhood programs. Superintendent Dickson responded. She also asked about site-based programs.

Ben Leishman discussed site-based programs. Sen. Millner expressed more concern about this budget cut.

Rep. Moss mentioned that some efficiencies have come about because of the increases in technology. He asked about the possibilities of continuing some of the technology. Superintendent Dickson and Chair Huntsman responded.

Rep. Spendlove mentioned that 24 programs would be completely eliminated. He expressed concern about the process. He mentioned the advantage of giving an across the board budget cut. He asked for clarification about the criteria involved. Superintendent Dickson responded.

Rep. Gibson also discussed the advantages of making uniform cuts across the board. He asked about other software programs besides UPSTART. Ben Leishman responded. Superintendent Dickson also responded.

Rep. Pulsipher wanted to have more information regarding why certain cuts were made. She asked if teachers and students were consulted. Superintendent Dickson responded.

Sen. Riebe applauded teachers, parents and students during this very unique time. She gave her insights to these budget cuts as an educator.

Rep. Last discussed the enormous cuts that need to be made and the importance of preserving the WPU.

Sen. Fillmore mentioned how important it is to give school districts flexibility. He expressed concern about the cuts to flexible allocation.

Rep. Poulson mentioned that COVID is going to be here for a while. She mentioned that it is important to look at what might happen in the fall as budget cuts are being made. Superintendent Dickson responded.

Sen. Hillyard spoke against across the board cuts.

4 . Public Comment on Budget Adjustments

Trent Kaufman, Ed Direction, wanted to encourage the committee to make decisions based on a clear set of criteria.

Heidi Matthews, President of Utah Education Association asked Legislators keep in mind five specific items before making any budget cuts.

5 . Subcommittee Discussion & Recommendations on Budget Adjustments

Chair Eliason gave more clarification about the list and suggested ways to proceed.

Ben Leishman discussed the four items on the 2% tranche that were recommended by all three groups.

Rep. Hall asked if the budget cuts include Title I schools and would like to remove these three items from the list. Ben Leishman gave some clarifying information.

Chair Eliason asked committee members to recommend something be added when they ask for something to be removed so that the three target amounts can be reached.

MOTION: Rep. Gibson moved to approve item budget adjustment 2a Flexible Allocation. The motion passed with a vote of 18 - 0 - 1.

Yeas-18

Rep. J. Briscoe
Rep. S. Eliason
Sen. L. Fillmore
Rep. F. Gibson
Rep. C. Hall
Sen. L. Hillyard
Rep. D. Johnson
Rep. B. Last
Rep. K. Lisonbee
Sen. A. Millner
Rep. J. Moss
Rep. M. Poulson
Rep. S. Pulsipher
Sen. K. Riebe
Rep. V. Snow
Rep. R. Spendlove
Rep. S. Waldrip
Sen. R. Winterton

Nays-0Absent-1

Sen. J. Stevenson

MOTION: Rep. Waldrip moved to approve budget adjustment Item 2b LEA Administrative costs

Sen. Hillyard asked if this impacts the rural districts more. Ben Leishman responded. Sen. Hillyard asked that this item be discussed again during the next legislative session.

Rep. Spendlove asked for some specific information about the chart. Ben Leishman responded.

Rep. Waldrip's motion passed with a vote of 17 - 1 - 1.

Yeas-17

Rep. J. Briscoe
Rep. S. Eliason
Rep. F. Gibson
Rep. C. Hall
Sen. L. Hillyard
Rep. D. Johnson
Rep. B. Last
Rep. K. Lisonbee
Sen. A. Millner
Rep. J. Moss
Rep. M. Poulson
Rep. S. Pulsipher
Sen. K. Riebe
Rep. V. Snow
Rep. R. Spendlove
Rep. S. Waldrip
Sen. R. Winterton

Nays-1

Sen. L. Fillmore

Absent-1

Sen. J. Stevenson

MOTION: Sen. Hillyard moved to approve budget adjustment Item 2i School Library Books. The motion passed with a vote of 17 - 1 - 1.

Yeas-17

Rep. S. Eliason
Sen. L. Fillmore
Rep. F. Gibson
Rep. C. Hall
Sen. L. Hillyard
Rep. D. Johnson
Rep. B. Last
Rep. K. Lisonbee
Sen. A. Millner
Rep. J. Moss
Rep. M. Poulson
Rep. S. Pulsipher
Sen. K. Riebe
Rep. V. Snow
Rep. R. Spendlove
Rep. S. Waldrip
Sen. R. Winterton

Nays-1

Rep. J. Briscoe

Absent-1

Sen. J. Stevenson

MOTION:

Rep. Hall moved to remove budget adjustment items 2j Title I - Paraeducators, 2l Effective Teachers in High-Poverty Schools, and Grants for Educators in High Need Schools from this list. The motion passed with a vote of 17 - 1 - 1.

Yeas-17

Rep. J. Briscoe
Rep. S. Eliason
Sen. L. Fillmore
Rep. F. Gibson
Rep. C. Hall
Rep. D. Johnson
Rep. B. Last
Rep. K. Lisonbee
Sen. A. Millner
Rep. J. Moss
Rep. M. Poulson
Rep. S. Pulsipher
Sen. K. Riebe
Rep. V. Snow
Rep. R. Spendlove
Rep. S. Waldrip
Sen. R. Winterton

Nays-1

Sen. L. Hillyard

Absent-1

Sen. J. Stevenson

Ben Leishman discussed budget adjustment Item 2c SpEd Intensive Services

Rep. Briscoe asked if the actual line items were being eliminated or just the funding. Chair Eliason and Ben Leishman responded.

MOTION:

Rep. Gibson moved to adopt the budget cut to 2c SpEd - Intensive Services without eliminating the program.

Chair Eliason clarified that all of these budget cuts allow the Line Item to be left in, but there will now be a 0 balance.

Sen. Hillyard spoke in favor of the motion even though these are very difficult decisions.

Sen. Millner asked for clarification about the spreadsheet. Ben Leishman and Sen. Hillyard responded.

Sen. Riebe mentioned that Superintendent Dickson has reported that this item can be covered with some other funding sources. Chair Eliason spoke in favor of the motion even though it is a very difficult decision.

Rep. Gibson's motion passed with a vote of 18 - 0 - 1.

Yeas-18

Nays-0

Absent-1

Sen. J. Stevenson

Rep. J. Briscoe
Rep. S. Eliason
Sen. L. Fillmore
Rep. F. Gibson
Rep. C. Hall
Sen. L. Hillyard
Rep. D. Johnson
Rep. B. Last
Rep. K. Lisonbee
Sen. A. Millner
Rep. J. Moss
Rep. M. Poulson
Rep. S. Pulsipher
Sen. K. Riebe
Rep. V. Snow
Rep. R. Spendlove
Rep. S. Waldrip
Sen. R. Winterton

Ben Leishman discussed budget adjustment Item 2h Charter School Local Replacement Formula Lag.

MOTION: Rep. Gibson moved to adopt the \$4 million reduction for Item 2h Charter School Local Replacement Formula Lag. The motion passed with a vote of 18 - 0 - 1.

Yeas-18

Nays-0

Absent-1

Sen. J. Stevenson

Rep. J. Briscoe
Rep. S. Eliason
Sen. L. Fillmore
Rep. F. Gibson
Rep. C. Hall
Sen. L. Hillyard
Rep. D. Johnson
Rep. B. Last
Rep. K. Lisonbee
Sen. A. Millner
Rep. J. Moss
Rep. M. Poulson
Rep. S. Pulsipher
Sen. K. Riebe
Rep. V. Snow
Rep. R. Spendlove
Rep. S. Waldrip
Sen. R. Winterton

Ben Leishman discussed budget adjustment Item 2o Math/Science Opportunities for Teachers (MOST).

MOTION: Rep. Waldrip moved to adopt the \$6.2 million reduction for Item 2o Math/Science Opportunities for Teachers (MOST).

Sen. Riebe stated that 97% of this money goes to teachers' salaries. Sen. Hillyard mentioned a recent audit recommending that this program is restructured. Ben Leishman clarified compensation information.

Rep. Waldrip's motion passed with a vote of 15 - 3 - 1.

Yeas-15

Rep. S. Eliason
Sen. L. Fillmore
Rep. F. Gibson
Rep. C. Hall
Sen. L. Hillyard
Rep. D. Johnson
Rep. B. Last
Rep. K. Lisonbee
Sen. A. Millner
Rep. J. Moss
Rep. S. Pulsipher
Rep. V. Snow
Rep. R. Spendlove
Rep. S. Waldrip
Sen. R. Winterton

Nays-3

Rep. J. Briscoe
Rep. M. Poulson
Sen. K. Riebe

Absent-1

Sen. J. Stevenson

Rep. Gibson asked that during the discussion phase if someone is going to vote no, they should propose an alternative budget cut. Chair Eliason stated that this would be very helpful.

Ben Leishman explained budget adjustment Item 2p Centennial Scholarship Program.

MOTION: Rep. Gibson moved to adopt the \$272,500 budget adjustment 2 p Centennial Scholarship Program. The motion passed with a vote of 18 - 0 - 1.

Yeas-18

Rep. J. Briscoe
Rep. S. Eliason
Sen. L. Fillmore
Rep. F. Gibson
Rep. C. Hall
Sen. L. Hillyard
Rep. D. Johnson
Rep. B. Last
Rep. K. Lisonbee
Sen. A. Millner
Rep. J. Moss
Rep. M. Poulson
Rep. S. Pulsipher
Sen. K. Riebe
Rep. V. Snow
Rep. R. Spendlove
Rep. S. Waldrip
Sen. R. Winterton

Nays-0Absent-1

Sen. J. Stevenson

Ben Leishman discussed budget adjustment Item 2q National Board Certified Teacher Incentives.

MOTION: Rep. Johnson moved to adopt the \$246,300 cut for Item 2q National Board Certified Teacher Incentives.

Sen. Millner asked about why this cut has been recommended. Superintendent Dickson and Ben Leishman responded.

Rep. Pulsipher asked for clarification whether this reduction would be ongoing or one time. Ben Leishman and Chair Eliason also gave some clarification.

Rep. Johnson's motion passed with a vote of 18 - 0 - 1.

Yeas-18Nays-0Absent-1

Rep. J. Briscoe
Rep. S. Eliason
Sen. L. Fillmore
Rep. F. Gibson
Rep. C. Hall
Sen. L. Hillyard
Rep. D. Johnson
Rep. B. Last
Rep. K. Lisonbee
Sen. A. Millner
Rep. J. Moss
Rep. M. Poulson
Rep. S. Pulsipher
Sen. K. Riebe
Rep. V. Snow
Rep. R. Spendlove
Rep. S. Waldrip
Sen. R. Winterton

Sen. J. Stevenson

Emily Willis discussed budget adjustment Item 2t Educator Licensing.

Chair Eliason clarified this budget adjustment. He also mentioned that the meeting could go until around noon; but only about 10 percent of the list has been discussed.

MOTION: Sen. Hillyard moved to adopt the \$663,700 budget cut for 2t Educator Licensing.

Rep. Spendlove asked about the reduction being about 25 percent of the base? Emily Willis and Superintendent Dickson responded.

Sen. Hillyard's motion passed with a vote of 18 - 0 - 1.

Yeas-18Nays-0Absent-1

Rep. J. Briscoe
Rep. S. Eliason
Sen. L. Fillmore
Rep. F. Gibson
Rep. C. Hall
Sen. L. Hillyard
Rep. D. Johnson
Rep. B. Last
Rep. K. Lisonbee
Sen. A. Millner
Rep. J. Moss
Rep. M. Poulson
Rep. S. Pulsipher
Sen. K. Riebe
Rep. V. Snow
Rep. R. Spendlove
Rep. S. Waldrip
Sen. R. Winterton

Sen. J. Stevenson

Emily Willis explained budget adjustments 2u Stem Endorsement Incentives (a one-time cut), 2v Early Intervention Reading Software and 2w Competency-based Education grants.

Sen. Riebe expressed concern about this budget cut. Ben Leishman and Chair Eliason commented.

MOTION: Sen. Winterton moved to approve budget adjustments for Items 2u, 2v, and 2w. The motion passed with a vote of 17 - 1 - 1.

Yeas-17

Rep. J. Briscoe
Rep. S. Eliason
Sen. L. Fillmore
Rep. F. Gibson
Rep. C. Hall
Sen. L. Hillyard
Rep. D. Johnson
Rep. B. Last
Rep. K. Lisonbee
Sen. A. Millner
Rep. J. Moss
Rep. M. Poulson
Rep. S. Pulsipher
Rep. V. Snow
Rep. R. Spendlove
Rep. S. Waldrip
Sen. R. Winterton

Nays-1

Sen. K. Riebe

Absent-1

Sen. J. Stevenson

Ben Leishman discussed budget adjustment 2x for UPSTART Early Childhood Education.

MOTION: Sen. Millner moved to restore funding to UPSTART, but to make an additional \$3 million cut the Capital Outlay foundation program.

Sen. Hillyard, Rep. Poulson, Rep. Gibson, and Rep. Briscoe spoke against this motion.

Sen. Millner responded to these comments.

Rep. Last spoke in favor of the motion.

MOTION: Rep. Gibson moved to request the State Board of Education research the following in regards to statewide technology and computer software contracts:

1. Would the contractor be able to continue serving Utah schools if the state needed to reduce funding by 10-15% in order to keep all providers as opposed to selecting to end certain programs. After gaining this information.
2. Would the K-12 contractor be willing to provide all local education agencies the state contract rate for their program and allow them to determine which programs they select? In this instance, the funding would no longer come from the state but be paid by LEAs using state or local funds.

Sen. Hillyard supported allowing districts to choose which software programs to use. Chair Eliason mentioned that this motion would require legislation.

Rep. Briscoe asked some questions about the motion. Ben Leishman reported there is about \$20 million in software programs. Chair Eliason answered the questions.

Superintendent Dickson asked for clarification about the motion. Ben Leishman and Chair Eliason responded.

Sen. Millner mentioned that UPSTART is a Pre-K program which doesn't work in the same way. Chair Eliason and Rep. Gibson responded.

Sen. Fillmore was in favor of the content of Rep. Gibson's substitute motion, but was opposed to eliminating Sen. Millner's motion.

Rep. Briscoe asked for clarification about the substitute motion. Chair Eliason and Ben Leishman responded.

Rep. Last asked a clarifying question regarding current RFPs. Chair Eliason responded.

Rep. Gibson's substitute motion passed with a vote of 17 - 1 - 1.

Yeas-17

Rep. J. Briscoe
Rep. S. Eliason
Rep. F. Gibson
Rep. C. Hall
Sen. L. Hillyard
Rep. D. Johnson
Rep. B. Last
Rep. K. Lisonbee
Sen. A. Millner
Rep. J. Moss
Rep. M. Poulson
Rep. S. Pulsipher
Sen. K. Riebe
Rep. V. Snow
Rep. R. Spendlove
Rep. S. Waldrip
Sen. R. Winterton

Nays-1

Sen. L. Fillmore

Absent-1

Sen. J. Stevenson

Emily Willis explained budget adjustments for 2y ProStart Culinary Arts Program, 2bb Student Health & Counseling Support, 2cc Regional Seminars, 2dd Online College Prep Test, 2ee Child Nutrition Program, 2ff General Funds, 2gg General Funds CPR Training, 2hh and 2ii Compensation funding changes.

MOTION: Rep. Last moved to adopt the LFA recommended budget adjustments for 2y, 2bb, 2cc, 2dd, 2ee, 2ff, 2gg, 2hh, 2ii.

Sen. Riebe spoke against the 2y Pro-Start Culinary Arts program cut. Ben Leishman gave some clarification regarding this item.

Rep. Gibson asked if Item 2dd involves a software program. Ben Leishman responded.

Rep. Hall expressed concern about 2dd Online College Prep Test. Chair Eliason asked the maker of the motion to remove Item 2dd.

Rep Last's motion with the exception of Item 2dd College Prep Test.passed with a vote of 18 - 0 - 1.

Yeas-18Nays-0Absent-1

Sen. J. Stevenson

Rep. J. Briscoe
Rep. S. Eliason
Sen. L. Fillmore
Rep. F. Gibson
Rep. C. Hall
Sen. L. Hillyard
Rep. D. Johnson
Rep. B. Last
Rep. K. Lisonbee
Sen. A. Millner
Rep. J. Moss
Rep. M. Poulson
Rep. S. Pulsipher
Sen. K. Riebe
Rep. V. Snow
Rep. R. Spendlove
Rep. S. Waldrip
Sen. R. Winterton

Emily Willis explained the one-time budget adjustment for Item 2aa School Turnaround Leadership Development.

MOTION: Sen. Hillyard moved to approve a one-time budget adjustment for Item 2aa The motion passed with a vote of 18 - 0 - 1.

Yeas-18Nays-0Absent-1

Sen. J. Stevenson

Rep. J. Briscoe
Rep. S. Eliason
Sen. L. Fillmore
Rep. F. Gibson
Rep. C. Hall
Sen. L. Hillyard
Rep. D. Johnson
Rep. B. Last
Rep. K. Lisonbee
Sen. A. Millner
Rep. J. Moss
Rep. M. Poulson
Rep. S. Pulsipher
Sen. K. Riebe
Rep. V. Snow
Rep. R. Spendlove
Rep. S. Waldrip
Sen. R. Winterton

Chair Eliason discussed a one-time budget adjustment on Item 2kk USBE Foreign Exchange.

MOTION: Sen. Hillyard moved to approve a one-time budget adjustment for Item 2kk. The motion passed with a vote of 18 - 0 - 1.

Yeas-18

Rep. J. Briscoe
Rep. S. Eliason
Sen. L. Fillmore
Rep. F. Gibson
Rep. C. Hall
Sen. L. Hillyard
Rep. D. Johnson
Rep. B. Last
Rep. K. Lisonbee
Sen. A. Millner
Rep. J. Moss
Rep. M. Poulson
Rep. S. Pulsipher
Sen. K. Riebe
Rep. V. Snow
Rep. R. Spendlove
Rep. S. Waldrip
Sen. R. Winterton

Nays-0Absent-1

Sen. J. Stevenson

Rep. Last suggested that another meeting be scheduled. Chair Eliason stated that they have made the request to leadership for an additional meeting.

Emily Willis explained the budget adjustment for Items 5a General Financial Literacy, 5c Interventions for Reading Difficulties, 5d Early Warning Pilot Program, 5f Start-up Funds, 5j Assessment & Accountability, 5k Assessment & Accountability - Assessment to Achievement, 5l Assessment & Accountability - Adaptive Testing and 5o Class Size Reduction.

Ben Leishman discussed Item 5o Class Size Reduction in more detail.

Sen. Hillyard asked about the \$7 million difference between the recommendations in the two columns. Ben Leishman responded.

Emily Willis explained the cuts that would be taken at 5 percent and 10 percent levels.

Rep. Briscoe expressed concern about Item 5o. Chair Eliason removed Item 5o from consideration at this point.

MOTION: Rep. Waldrip moved to adopt the LFA budget adjustment recommendations for 5a, 5c, 5d, 5f, 5j, 5k, and 5l.

Rep. Last asked for clarification about the budget cut for teaching and learning. Ben Leishman stated that this item is not part of the motion.

Rep. Waldrip's motion passed with a vote of 17 - 0 - 2.

Yeas-17

Rep. J. Briscoe
Rep. S. Eliason
Sen. L. Fillmore
Rep. F. Gibson
Sen. L. Hillyard
Rep. D. Johnson
Rep. B. Last
Rep. K. Lisonbee
Sen. A. Millner
Rep. J. Moss
Rep. M. Poulson
Rep. S. Pulsipher
Sen. K. Riebe
Rep. V. Snow
Rep. R. Spendlove
Rep. S. Waldrip
Sen. R. Winterton

Nays-0Absent-2

Rep. C. Hall
Sen. J. Stevenson

MOTION: Sen. Riebe moved to adjourn. The motion passed with a vote of 18 - 0 - 1.

Yeas-18

Rep. J. Briscoe
Rep. S. Eliason
Sen. L. Fillmore
Rep. F. Gibson
Rep. C. Hall
Sen. L. Hillyard
Rep. D. Johnson
Rep. B. Last
Rep. K. Lisonbee
Sen. A. Millner
Rep. J. Moss
Rep. M. Poulson
Rep. S. Pulsipher
Sen. K. Riebe
Rep. V. Snow
Rep. R. Spendlove
Rep. S. Waldrip
Sen. R. Winterton

Nays-0Absent-1

Sen. J. Stevenson

Chair Eliason adjourned the meeting at 12:02 p.m.